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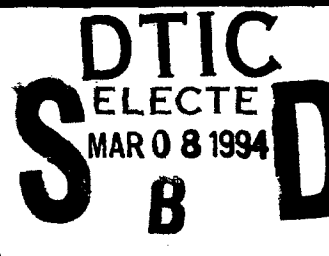
**TRIAGE
for
FAILING STATES**

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Edward Marks

William Lewis



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McNair Paper 26

*A popular Government,
without popular information or the means of
acquiring it,
is but a Prologue to a Farce or a Tragedy; or
perhaps both.
Knowledge will forever govern ignorance;
And a people who mean to be their own
Governors,
must arm themselves with the power which
knowledge gives.*

JAMES MADISON to W. T. BARRY

August 4, 1822

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INSTITUTE FOR NATIONAL STRATEGIC STUDIES

NATIONAL DEFENSE UNIVERSITY
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- ☐ *President:* Lieutenant General Paul G. Cerjan
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INSTITUTE FOR NATIONAL STRATEGIC STUDIES

- ☐ *Acting Director:* Stuart E. Johnson

Publications Directorate ☐ Fort Lesley J. McNair

- ☐ Washington, D.C. 20319-6000 ☐ Phone: (202) 475-1913 ☐ Fax: (202) 475-1012
☐ *Director:* Frederick T. Kiley ☐ *Deputy Director:* Lieutenant Colonel Barry McQueen
☐ *Chief, Publications Branch:* George C. Maerz ☐ *Editor:* Mary A. Sommerville
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Contents

Foreword	<i>Stuart Johnson</i>	v
UN Peacekeeping in a Post-Cold War World	<i>Edward Marks</i>	1
Peacekeeping in the Name of Humanity	<i>William Lewis</i>	23

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FOREWORD

The period since the end of the Cold War has witnessed dramatic growth in the number of local wars, anarchic situations resulting from the collapse of governing institutions, and natural disasters requiring humanitarian assistance. The majority of international efforts to deal with these crises have been linked with the United Nations operations tied generically to "peacekeeping." The reason is not difficult to perceive. Bipolarity has given way to multipolarity; today, intrastate conflicts threaten international order and stability much as interstate wars have done in this century.

While debate in the academic community and official precincts in Washington has tended to focus on the purely military aspects of international peacekeeping in the post-Cold War era, United Nations involvement in crisis resolution has developed through the humanitarian entry point. This has most obviously been the case in Bosnia and Somalia, with far-reaching implications and consequences for military forces so engaged.

Numerous issues have arisen in the peacekeeping-humanitarian assistance realm. Most notable have been: (a) whether humanitarian assistance represents a form of intervention in violation of Article 2(7) of the United Nations Charter relating to interference in the domestic affairs of sovereign member states; (b) the extent to which such intervention is justified when governments brutalize their populations or cannot provide minimal services to their citizens; (c) how to reorganize and draw together the diverse and divergent United Nations agencies concerned

with peace support and humanitarian assistance operations; and (d) which elements should be responsible for overall coordination and direction of the two activities, each with its own bureaucratic culture and distinctive history.

To address these and related issues, we have elicited two essays. The first, by Ambassador Edward Marks, a Senior Fellow of the Institute for National Strategic Studies, examines the United Nations aspect. Ambassador Marks recently came to the Institute after several years as a senior officer in the Permanent United States Missions to the United Nations (New York). The second essay is by Professor William Lewis of The George Washington University, who addresses the legal and political issues associated with the U.S. and UN involvement in Somalia and northern Iraq.

I believe that both presenters have explored a little understood subject field, one worthy of even more extensive analysis.

STUART E. JOHNSON
Acting Director

UN PEACEKEEPING IN A POST-COLD WAR WORLD

EDWARD MARKS

One immediate result of the end of the polarization which characterized international relations in the Cold War era has been the movement to the front burner of political crises arising from ethnic animosities, social and economic inequalities, and regional and internal political competition. Previously masked by Cold War dynamics, these long-existing problems have emerged in a rash of so-called "complex emergencies"—either political or humanitarian. How to deal with them is a problem for the international community as a whole, specifically for local actors and neighbors, and at least occasionally for the United States as the sole remaining global power. These problems are especially troublesome as most of them appear devoid of specific relevance to U.S. national interests. Yet they persist—from Bosnia to Haiti—and similar future crises with more direct potential concern for the United States loom on the horizon. What to do?

Ambassador Edward Marks, U.S. Department of State, is a Senior Fellow in the Institute for National Strategic Studies, National Defense University, Washington, D.C. Previously, he was a senior officer in the (Permanent) U.S. Mission to the United Nations.

2 UN PEACEKEEPING IN A POST-COLD WAR WORLD

Washington's first reaction was to ask the United Nations to help in its traditional peacekeeping role. The Bush administration did so pragmatically, and the Clinton administration enthusiastically. However, the UN has not proved to be a completely successful *deus ex machina*. First of all, the attempt to expand the UN's peacekeeping role into an interventionist mode has caused enormous political problems. It has also raised practical questions of UN capability in personnel and resources. Given these concerns, is there a useful role for the UN in dealing with complex emergencies? If so, is that role potentially of interest to the United States?

The answer is yes. Without an effective multilateral option, the United States would find itself with only two responses to any given emergency: unilateral action (to include organizing a coalition) or doing nothing. Either may be perfectly appropriate in a given situation, but obviously there will be other situations where a multilateral response is both best and prudent. Because this option will not exist unless a multilateral mechanism and process exist, the UN would appear to be the best choice for creating both mechanism and process.

A UN Option

The UN's existing capability in traditional peacekeeping is limited, however, and the proposed new interventionist role is controversial. Nevertheless, an alternative exists in the form of an enhanced UN peacekeeping role, one which would integrate the UN system's capabilities in the economic and social areas with its political and military elements to produce an intensified UN capability appropriate for the new category of complex emergency. For the United States, a UN capability of this type offers a

third arrow to the policy quiver, supplementing unilateralism and do-nothingism.

What are called in the United Nations environment "complex emergencies" or "complex political emergencies" are crises of sufficient magnitude to engage the attention of the world community (or at least the UN), but of a restricted local character arising out of some combination of humanitarian crisis, breakdown of national political authority, or regional political confrontation that has moved into the violent stage. Although mankind remains addicted to war, UN High Commissioner for Refugees Mrs. Sadako Ogata has recently observed that *internal* war has become the prevailing pattern. Somalia, Sudan, Cambodia, the former Yugoslavia, and Iraq are all internal wars. All pose a serious threat to the well-being of significant numbers of innocent people, and all make some claim on the attention of the international community.

The UN has stepped into this breach, or maybe more accurately, has been pushed into it by a newly activist Security Council spurred in turn by widespread international opinion. The United States has played a major role in fostering this activism—sometimes called second-generation peacekeeping. Building up the operational and diplomatic authority of the UN to deal with complex emergencies was an essential part of Bush and at least initial Clinton administration policy. Reflecting the intertwined American concerns for international law and order, support for democracy, and market economics, as well as a reluctance to turn Cold War "victory" into American political hegemony, Washington has viewed the UN as a useful agent to deal with these relatively minor, albeit potentially dangerous, developments called complex emergencies.

This more active role for the United Nations has raised serious questions of capability, in addition to the

4 UN PEACEKEEPING IN A POST-COLD WAR WORLD

more obvious ones of mandate and authority. Interventionism, or the use of force by the UN, touches many sensibilities, and raises many questions. While a specific situation such as Somalia calls out for action, the implications of UN military and political interventionism bother large numbers of countries. With respect to implementation, the difference between those who might wish to authorize a UN intervention, and those who would have to provide the human and financial resources raises another whole set of concerns. *Quo bono* (who benefits) is one thing, but who pays is another. As the latter category obviously refers primarily to the United States, the cost of UN interventionism has become an American domestic political question, especially in the wake of recent events in Somalia.

Yet the right—and some would say the duty—of humanitarian intervention already exists, arising out of international agreements and documents such as the International Covenant on Human Rights, in addition to the well known UN authority to react to threats to international peace and security. Obviously a mandate for intervention on human rights or humanitarian grounds by the international community creates a conflict between national and collective interests, so governments are reluctant to act on this human rights-based authority. (Here again, there is asymmetry in government reactions as certain Western countries such as the United States consider human rights a foreign policy priority.)

Despite these conceptual and practical questions, public and official opinion increasingly view serious humanitarian crises as situations calling for international action, because of moral considerations spurred by broad public disclosure via the media—the "CNN factor," and because they are viewed as threats to peace and security.

Dealing with the questions and problems of humanitarian intervention (as distinct from humanitarian assistance) requires more agreement on principles and procedures than currently exists. Even accepting the general thesis that humanitarian intervention can be justified and may be necessary, three considerations must be dealt with in any specific situation:

- What are the facts and where do you get them?
- What is the relevant international law and practice?
- Is there sufficient, broadly based, and durable political support for intervention?

These considerations call for an orderly process for considering humanitarian intervention—a process that does not exist at present. While the Security Council provides a forum for making an international decision on threats to international peace and security, its mandate in humanitarian situations is less clear—even where the humanitarian crisis arises directly from the political and military situation (as in the former Yugoslavia).

To complicate the situation further, there is a growing interest in viewing peacekeeping plus humanitarian operations in a longer term perspective, to ensure that the conditions which created the crisis in question do not return. During the UN general debate of 19 November 1993 on strengthening the coordination of humanitarian assistance by the UN, a number of representatives expressed the view that peacekeeping and humanitarian assistance should be part of the continuum to rehabilitation and development. However, this is a slippery slope as definitions become so broad and all-inclusive that peacekeeping and peace-making become synonyms for

6 UN PEACEKEEPING IN A POST-COLD WAR WORLD

world governance *tout court*. Peacekeeping and humanitarian assistance in an emergency situation are different from long-term development in practice if not in theory.

Even if the motivation and justification for assistance in situations of conflict remain essentially humanitarian and reasonably limited in scope, the necessary decisions to provide assistance in such situations are political in nature. But when the Security Council assumed the decisionmaking responsibility, it found itself swamped when the number and complexity of these emergencies expanded. Apparent early success in dealing with the problems of the post-Cold War era has been largely illusory, although some situations (e.g., Cambodia) have been greatly ameliorated. The situation in the former Yugoslavia has proved especially difficult; the Security Council found it could not manage this crisis with the same approach used elsewhere. This frustration, combined with difficulties in implementing the Somalia decision and the likelihood that other crises are lurking in the wings, have led to serious reconsideration—especially on the part of the United States. At first blush the traditional wisdom about the intrinsic limitations of UN peacekeeping has been reaffirmed; expanded UN intervention in political conflict is done neither easily nor safely.

A retreat to traditional peacekeeping, however, may not be possible. Humanitarian emergencies continue to arise and carry serious political implications—both as cause and effect. As a recent UN High Commissioner on Refugees' report noted, there are 44 million refugees and displaced persons in the world today who not only pose an obvious threat to international peace and security, but represent a moral challenge as well. Certainly, the separation of political and humanitarian activities in UN operations is in

complex-conflict situations is no longer possible, so both a new rationale and modified organizational arrangements are necessary for dealing with this new situation.

The UN's Two Operating Cultures

It often comes as a surprise to many to learn that more than 70 percent of the UN's people and budget is devoted to programs and activities in economic, social, and related areas. The prominence of the Security Council and its political activities such as peacekeeping tends to overshadow the more mundane economic and social work. As a result, there is much concern over the dramatic rise of the budget for UN peacekeeping activities even though that increase still does not significantly alter the ratio of political to economic and social budgets. As the peacekeeping budget has risen in the past few years from \$200 million annually to over \$4 *billion*, so have humanitarian assistance appeals. Furthermore, demands for increased economic development assistance related to post-crisis rehabilitation are beginning to appear.

The UN's general culture has always agreed with the traditional (and invidious) distinction between political and economic affairs—so common in the management of foreign affairs in most governments. Political affairs have high priority while economic and social questions generally are placed below the salt. Certainly this is the situation in most foreign offices (and most definitely in the U.S. Department of State). The appearance, for example, of the Permanent Representative of one of the Permanent Five (United States, Russia, China, Great Britain, France) in the Second (economic) or Third (social) Committees of the General Assembly or in the Economic and Social Council (ECOSOC) is a rare event worthy of note.

This hierarchical organization of the culture of the UN is not without historical justification. The major Western countries, especially the United States, have always argued that the General Assembly and the central UN system are not appropriate places for serious consideration of international economic matters, which, they maintain, are the responsibility of the so-called Bretton Woods institutions (the World Bank and the International Monetary Fund). Therefore, while a large number of UN funds, programs, and agencies were created to deal with a wide range of economic and social questions, these bodies were organized—if that is the proper word—in a highly decentralized fashion. The UN Development Program (UNDP), the UN Children's Fund (UNICEF), the Food and Agricultural Organization (FAO), and the High Commissioner for Refugees—to name only a representative few—were each created with almost autonomous mandates and organizational structures and a governance system consisting of separate intergovernmental governing councils or boards. Nominally the head of each of these organizations is subordinate to the Secretary-General (SYG) of the UN, who is formally designated by the UN Charter as the system's Chief Administrative Officer, but in fact the SYG does not appoint most of these officers and has little authority over their personnel systems, their mandates, or their budgets. Nominally the inter-governmental governing boards of these organizations are under the overall authority of the General Assembly and reflect the broad foreign policy perspectives of their member states, but in fact most government delegations to these relatively narrow bodies represent the fairly specialized views of specific ministries, e.g., agriculture and health.

**Politics, Humanitarian Assistance,
and Peacekeeping**

The United Nations, therefore, is not really a single political or bureaucratic institution with a distinctive character or personality, much less independent authority. Most specifically, it is not a government and does not react as one. This somewhat obvious condition is misunderstood by many observers, commentators, and public officials who persistently urge the UN to "do something" or criticize it for failure to act. As a Swedish official, B. Stjernfelt, put it recently, "The UN is often subject to criticism that should be directed instead at member states." The UN, as knowledgeable people rightly insist, is a sort of permanent in-session conference, a parliamentary not an executive creature, and a highly decentralized one at that.

In this desegregated system, the predominant concern of policy-level participants in the UN during the Cold War—including UN officials and member government representatives—was political. The Security Council was the center ring where Washington and Moscow confronted each other. Elsewhere in the UN system this competition existed but was modified by the interests of other states in pursuing less than cosmic objectives. For instance, the so-called Third World (the states of the Non-Aligned Movement) attempted to obtain more favorable consideration of their development needs and the anti-colonialist program; the Arab countries of the Middle East attempted to improve the lot of the Palestinians; and the Nordic countries attempted to find a middle ground between Washington and Moscow. But all of this took place within the context of the Cold War; the perspective was determinedly political despite the efforts of some to create a meaningful economic and social development agenda for

the UN. Even the growing interest in human rights was pursued in this political environment and atmosphere.

Peacekeeping and humanitarian assistance were conducted in this environment as separate activities involving completely different organizations. Peacekeeping operations (now called "traditional" peacekeeping) were the responsibility of the Security Council to be implemented by the Secretary-General and his subordinates in the political departments of the central Secretariat, always on a case-by-case basis. Humanitarian assistance—essentially a question of dealing with natural disasters—was entrusted to various UN organizations as a regular part of their mandate or duties. Should a cyclone hit or an earthquake occur, UNICEF, UNHCR, the World Food Program, and their sister agencies would do whatever was necessary, providing emergency medical assistance, shelter, and food.

In other words, humanitarian crises have traditionally been dealt with by bureaucratic organizations authorized to respond almost automatically to non-political crises. (Given that they were largely the result of natural catastrophes, this was not an unreasonable position.) Traditional peacekeeping (i.e., political crises) was dealt with by the Security Council and the Secretary-General on a case-by-case basis. Rarely did the two meet. Now, however, the most dramatic humanitarian crises are man-made and increasingly involve political decisions. The existing humanitarian assistance organizations (UN, non-governmental, and national) can no longer behave as if politics were not a factor, if only because the scale of resources needed to deal with these problems requires national government decisions to provide such resources. At the same time, the political instrumentalities can no longer consider humanitarian crises as none of their business. The end of the Cold War ended this situation, leading to calls

for a reshuffling of the deck. With the end of the bipolar organization of international policymaking and side-choosing, numerous local and regional problems have moved to center stage, to national governments, regional organizations, and the UN. The new dilemmas caused by complex emergencies now fill the in-boxes of decision makers.

As noted above, these complex emergencies include both political and humanitarian disaster. Humanitarian assistance operations are increasingly major elements of UN peacekeeping operations and in some cases are the purpose and justification for a peacekeeping operation (PKO). Somalia is the obvious example, but the agonizing character of the Bosnian situation arises from the horrendous impact of the conflict on the civilian population. While the international political community is rightfully concerned about the political implications arising from Serbian and Croatia "nation building," the international community is equally concerned about the physical suffering and fate of the civilian population and the abuse of human rights. More than classic political questions are at issue.

Therefore we find now that the international response requires a mixture of classic political and humanitarian elements. Political and military officers find themselves working shoulder-to-shoulder with humanitarian fieldworkers from UNICEF, World Food Program and non-governmental organizations such as CARE and Medecins Sans Frontiers. The two cultures find themselves in tandem, but their operating assumptions, tactics, and objectives are not necessarily congruent and may—even with the best will in the world—actually conflict. This potential conflict manifests itself most dramatically when the UN peacekeeping operation moves into the new world of peace enforcement, where the two sides of the UN operation may

find themselves pursuing contradictory policies. There can be a serious policy conflict between feeding a refugee and solving the political crisis which made him a refugee.

An Agenda For Peace

Recognition of this need to merge peacekeeping and humanitarian assistance was an important point in the Secretary-General's report to the Security Council entitled "Agenda for Peace." In this document, Boutros Boutros-Ghali outlined a comprehensive approach to UN involvement with the new plague of complex emergencies afflicting the post-Cold War world. He presented a policy spectrum involving preventive diplomacy, peacekeeping, peace-making, and peace-building. The spectrum would involve economic and social programs way beyond the limited traditional deployment of a few UN political officers and a comparatively small number of Blue Berets (all to deal with a specific short-term emergency—the long life of the Cyprus and other operations notwithstanding). Boutros-Ghali now called for mobilization of the whole UN system—economic as well as political—to deal with ostensibly "political" crises.

The SYG's "Agenda for Peace" also called for an expanded UN role in the world—that of peace enforcement with its implication of intervention in the internal affairs of nation states. This new role, based on the actual experience underway in Iraq and Somalia, was to be justified by humanitarian as well as political considerations, on the grounds that massive humanitarian crises were threats to international peace and stability. If they were, then at least certain types of intervention (peace-building, rehabilitation, and reconstruction) could be authorized. "Blue Berets" would now be worn by civilian relief workers operating on

the authority of the UN and not by invitation of the responsible local government. This proposal is as significant for relief workers as it is for the military.

But the UN is *neither organized nor experienced* in operating in such a multidisciplinary manner. As noted above, in traditional UN parlance and thinking, peacekeeping is a "PKO" and humanitarian assistance is "HA" and never the twain have met. It was to deal with this lack of joint experience and perceived need that the General Assembly created the new UN Department of Humanitarian Assistance in late 1991. The DHA was a controversial innovation because, again notwithstanding the actual ongoing agony of Somalia, many countries were fearful that the creation of a coordinated if not centralized UN organization for humanitarian assistance would introduce a humanitarian justification for intervention in the internal affairs of a sovereign and independent countries. As a result, the new department is a carefully limited entity with a circumscribed coordination authority. It is not surprising that DHA has not managed to resolve all UN implementation problems in the humanitarian assistance area in its brief existence. Even with much broader authority, it would have run into difficulties. Americans should remember the "Revolt of the Admirals" in 1948-49 arising from the difficulties the new Department of Defense had in exercising its coordinating role in the American defense community. The newcomer is always resisted, especially one charged with "coordination." Nevertheless, DHA does represent the concept of an integrated, system-wide reaction to humanitarian crises, both natural and man-made (i.e., political).

Necessary Reform

Successful implementation of an integrated humanitarian assistance program—both integrated among the various relevant UN economic and social organizations and with peacekeeping operations—requires further change in the UN system itself. Reform of the UN has been a subject of discussion, negotiation, and newspaper comment for many years now. Proposals range from restructuring of the Security Council to redrafting procurement regulations. With respect to integrated peacekeeping/humanitarian assistance operations, there are four central points where change (in attitude, function, and/or organization) is necessary:

- role of the Secretary-General,
- role of the Inter-Agency Standing Committee (IASC),
- role of the Department of Humanitarian Assistance (DHA), and
- role of the Economic and Social Council.

Linking these four institutions into a system-wide governance and management network is required if the UN's currently disparate economic and social organizations are to function as a more or less unified United Nations in pursuit of the goals and objectives outlined in the "Agenda for Peace."

This reorganization of the UN system—at both the policy and implementation level—is necessary if the UN is to successfully pursue peacekeeping in complex emergencies. At present, PKO are considered and authorized in terms of "traditional" components: a Security Council resolution providing a mandate, authorization for

deployment of a PK force, and a budgetary assessment limited to the politico-military operation. But the character of modern peacekeeping includes significant humanitarian assistance and rehabilitation responsibilities, which constitute the essence of meaningful "exit strategies" for UN peacekeeping forces. For instance, the importance of the integration of the "police" function of a PKO with political objectives cannot be overestimated, as Somalia is proving. As Professor Walter Clarke of the Army War College has noted on the basis of the Somali experience:

In future peace-making or peace enforcement operations, the United States and its coalition allies must develop a strategy that integrates military end states with effective political action. Failure to do so will invariably provide local Rambos the opportunities they seek to get inside UN and coalition decision processes and turn events to their own advantage.¹

The UN peacekeeping operation in Cambodia did deal openly with this question in the Paris Accord which set out the operation; those in the former Yugoslavia and in Somalia did so less successfully. Unfortunately, as pointed out so dramatically by Ambassador Gerald Helman and Mr. Steven Ratner in a recent article in *Foreign Policy*, the likelihood of similar "failed states" and consequent threats to at least regional peace and security, not to mention human rights, is growing.²

Unfortunately, the character of the UN system—described above—makes it difficult to design and fund an integrated operation. The obvious desirability of doing so raises some difficult questions. The most obvious relates to financing. Is the Security Council now to include "non-political" items such as humanitarian assistance and

rehabilitation of local institutions in its peacekeeping budgets? If not, then where is the money to come from? The budgets of UN agencies are under severe strain as they are called upon to fund humanitarian assistance and rehabilitation associated with peacekeeping operations in complex emergencies. The appeals for voluntary funding of specific crises are falling short. And many developing countries are becoming concerned about the already under-financed long-term development effort (i.e., Official Development Assistance) as funds are siphoned off to meet emergencies.

It is to deal with these inter-related questions that some reform and reorientation of the UN system is called for, to integrate UN peacekeeping operations. Without such integration, to include total budgeting and political exit strategies, the unknown factors facing decision makers will severely inhibit the willingness of national leaders to take advantage of the UN's unique qualification for dealing with thorny and sensitive international problems. Failure to use the UN in this fashion limits the alternatives available to these decision makers—leaving only unilateral action or no action.

■ First of all, the Secretary-General should begin to play a more active leadership role in providing overall policy guidance to the various organizations under his nominal authority, emphasizing constantly the need to integrate all of the UN's activities (political, economic, and social). The difficulties he shall face in this expanded role as well as his effectiveness in overcoming them will depend to a large degree upon support by member states.

■ The Inter-Agency Standing Committee (IASC), which was created along with the Department of

Humanitarian Assistance, should begin to work as the senior, management-level coordinating body of humanitarian assistance. Unfortunately, the IASC—composed of the Under-Secretary Generals who head the most important UN economic assistance organizations—has yet to fulfill its promise. It does not meet often enough, and most important does not function as a senior "cabinet" type body of responsible leaders, defining policy and committing resources of the community as a whole. The SYG on the one hand, and member states on the other, ought to exert more pressure on the members of the IASC to fulfill their mandated responsibility to serve as the system's management board in the humanitarian assistance area—not as a coffee klatch for senior officials concerned primarily with guarding their turfs.

■ The DHA itself needs both reorganization and more resources, both human and financial. The DHA, created by a compromise resolution of the General Assembly in 1991, has had difficulties in defining and exercising its coordination role in the UN system. Some of its problems arise from its own personnel and organizational weaknesses, some from lack of adequate resources such as modern communications, some from lack of clear guidance from the SYG and concerned member states, and some from resistance from the operational organizations. Many of these questions were raised at the July 1993 regular session of the Economic and Social Council which recommended ways to enhance coordination in the system. As a result, some changes in the size and operation of the Central Emergency Revolving Fund—the DHA-managed, U.S. \$50 million fund created to provide the UN system with a quick response capability for unexpected emergencies—were adopted in the fall 1993

General Assembly session. More attention to these questions and others is needed. Here again, as usual in the United Nations and as usually overlooked by many observers, the key to successful change will be the continued attention of a coalition of like-minded member states.

■ Possibly the most fundamental element in changing the UN system to integrate humanitarian assistance (on its own and as part of peacekeeping operations) is the reform of the governance system of the UN's economic and social funds, programs, and agencies. As noted previously, these bodies—and especially the three front-line humanitarian assistance programs of UNDP, UNICEF, and WFP—are currently managed by separate intergovernmental governing councils. Naturally enough, separate boards means separate perspectives and policies exacerbating the natural tendencies of bureaucracies to create their own operating culture and identity. These governing boards are nominally subordinate to the Economic and Social Council (ECOSOC), but over the years ECOSOC has become a facade, and the formally subordinate governing councils have assumed real management control. Negotiations underway in the General Assembly for several years to return policy authority for the UN's economic assistance and development bodies to ECOSOC were successfully concluded on 1 December 1993. The agreed reform will provide for a single, focused intergovernmental authority which can better integrate and coordinate the UN's performance in economic and social affairs in general, and humanitarian assistance in particular. Now governments must use this new intergovernmental mechanism to achieve the desired results.

One final thought involving a detail which often stirs the devils who frustrate change: money. The annual UN peacekeeping budget has risen in the past few years from approximately \$200 million to over \$4 billion. This development somehow shocks governments, legislators, and journalists. Yet, during the same period, the annual demand for short-term emergency humanitarian assistance has also increased to over \$4 billion annually. At the same time, the annual combined donor country budgets for Official Development Assistance is in the neighborhood of \$50 billion annually; the current estimates for the implementation of the UN's Agenda 21 program to meet the sustainable development needs of the world is about \$120 billion per year, and the current annual global expenditures for military budgets is just about \$1,000 billion. Surely somewhere in this range of financial expenditures and estimates the funds can be found to finance necessary international community operations to deal with the various emergencies (both man-made and natural) which afflict human beings as individuals and as nations.

Specifically, if the United States wishes to have at hand a UN system and process capable of dealing with some of the current or future rash of political and humanitarian emergencies which appear inevitable (that is, have a multilateral option), it will need to pursue a reform effort consisting of the following elements:

1. A coalition of like-minded member states, not limited to Western countries or the Permanent 5 members of the Security Council, committed to serious reform along the following lines;

2. Pressure on and support for the Secretary-General to play a more active leadership role within and for the total UN system;

3. Insistence that the Inter-Agency Standing Committee be reconstituted as a management body responsible for implementation of peacekeeping operations in complex emergencies;

4. Strengthening of the Department of Humanitarian Assistance as the coordinating organ for complex emergency operations, to include, if necessary, increased authority over UN funds and resources, and a clear mandated relationship with the political and peacekeeping departments and the IASC.

5. Effective use of the reformed Economic and Social Council so that it may assume system-wide inter-governmental governance authority for the UN organs and agencies involved in development, humanitarian assistance, and related social programs;

6. Reform of the UN's budgetary system to integrate political, peacekeeping, and humanitarian assistance budgets.

Exit Strategies

The Secretary-General's call for preventive diplomacy and peace-building or enforcement identifies possible UN activities prior to the despatch of a peacekeeping mission in an effort to prevent a political crisis which might threaten international peace and security. Such activities would involve mediation and negotiation, but might also require

economic development programs, humanitarian and electoral assistance, and support for human rights. Peace enforcement, at the other end of the spectrum, calls for some sort of institution rehabilitation or building so that the UN peacekeeping mission can withdraw—in other words, an exit strategy.

The expansion of UN peacekeeping operations to include economic and social programs is not dependent upon the expansion of the UN's peacekeeping operations to include enforcement and intervention. Even in traditional, limited peacekeeping, the new interest in the post-Cold War world to have the UN play a larger role in dealing with complex emergencies on the behalf of the world community calls for involving more of the UN system than its political/peacekeeping units. Military force may be a *necessary* element in peacekeeping, but it is no longer a *sufficient* one. Therefore we need a UN which can integrate political and economic/social policy, and can coordinate political and economic/social programs.

Central to the decision to engage in peacekeeping, of whatever kind or scope is the question of local governmental authority. Does the authority exist or not? Does it function or not? Where local authority does not exist in any meaningful way, then its recreation or rehabilitation becomes crucial to the end product of the peacekeeping operation, not to mention its success. Without some level of functioning local authority, it is difficult to envisage how a UN peacekeeping mission—once engaged—can withdraw. Peacekeeping is increasingly a politico-economic-social task requiring use of the UN's politico-economic-social agencies. Modern peacekeeping by the UN, in other words, requires harnessing its "civilian" wagons to its "military" horses.

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PEACEKEEPING IN THE NAME OF HUMANITY

WILLIAM LEWIS

When its charter was written in 1945, the United Nations was expected to become a major force for international order and stability¹. More recently, the world body has appeared to be little more than a debating society whose myriad negotiations and resolutions have little practical effect. Now the United Nations is again assuming the role for which it was originally intended. The end of the Cold War, the implosion of the Soviet Union, and the eruption of ethnic and religious violence in Europe, the Middle East, and Africa have created the need, and growing consensus and cooperation among the five permanent members of the Security Council have increased the feasibility of that body's taking on a broad spectrum of responsibilities. These include supervising elections, monitoring human rights, good offices and mediation, and humanitarian aid; in short, not only peacekeeping but peacemaking and peace enforcement.

William Lewis is Professor of Political Science and International Relations, The George Washington University, and a Senior Fellow, Institute for National Strategic Studies, National Defense University, Washington, D.C. He is a former member of the Policy Planning Staff of the Office of the Secretary of Defense.

Even those who are encouraged by this widening of roles and interventions recognize that it has risks and costs. Secretary-General Boutros Boutros-Ghali, in his mid-1992 report to the Security Council, "Agenda for Peace," noted that in the last four years the United Nations has established 13 peacekeeping operations—as many as in all its previous history—requiring the dispatch of 50,000 men to various trouble spots at a cost in excess of \$3 billion.² The explosion of claims on UN resources has led the Secretary-General to develop a burden-sharing strategy. In the case of Somalia, for example, Boutros-Ghali welcomed the intervention of American troops while recognizing that they would eventually have to be replaced by a multilateral UN force. In Bosnia, the Secretary-General has suggested that various of Europe's regional organizations—the North Atlantic Treaty Organization, the Western European Union, the European Economic Community, the Conference on Security and Cooperation in Europe (CSCE)—seek a mediating role. Should forceful intervention be required, he expects NATO to assume primary responsibility.

The Need for Selectivity

Policymakers around the world have come to recognize that the end of the Cold War has removed a central organizing principle from the international political system. Bipolarity has given way to multipolarity; today, intrastate conflicts threaten international order and stability as the interstate wars have done in the past. "Ethnic cleansing," separatist movements, and religious strife afflict most regions, generating waves of refugees.

The Secretary-General contends that these challenges represent historic opportunities to strengthen the world today. In his words:

The new era has brought new credibility to the United Nations. Along with it have come rising expectations that the United Nations will take on larger responsibilities and as greater role in overcoming pervasive and interrelated obstacles to peace and development. Together the international community and the UN Secretariat need to seize this extraordinary opportunity to expand, adapt and reinvigorate the work of the United Nations so that the lofty goals as originally envisioned by the charter can begin to be realized.³

Boutros-Ghali does acknowledge that the world organization faces severe difficulties: financial constraints; a shortage of personnel experienced in peacekeeping and humanitarian-assistance field operations; and disagreement among member states, both as to the types of contributions each should make, and as to how, and to what extent, the United Nations mandate for international operations should be expanded. In the words of one international civil servant, "We are at the limit of the Security Council's capacity to oversee and crisis manage, the Secretary-General's ability to lead, the Secretariat's capacity to manage, and the field missions' capacity to cope."⁴

Meanwhile, crises multiply. In Europe, the former Yugoslavia is engaged in savage warfare, while Moldova and the Caucasus are beset by national and ethnic rivalries. In Africa, such countries as Sudan, Ethiopia, Rwanda, and Liberia threaten to fall out of the community of nations. Central and South Asia have their own ethnic and religious struggles. In Latin America, we are witnessing crises in

Haiti, Peru, and Nicaragua. In virtually every region, bankrupt nations are in desperate need of economic and humanitarian assistance lest they descend into political chaos or even national disintegration.

Amid abundant disaster, the United Nations has limited resources, and must use caution in choosing where to engage them. Since the conclusion of World War II, there have been approximately 200 limited wars, generating casualties of more than 20 million people.⁵ (An estimated 85 percent of them have been intra- rather than interstate, and 95 percent of those have taken place outside of Europe.⁶ The United Nations has sought to play a mediating/peacekeeping role in only a handful of these conflicts, having found that it was only in cases of interstate conflicts where superpower interests were not engaged that its interventions were likely to succeed. Intervention in intrastate, or civil wars has been considered risky, or even counterproductive. Moreover, the norms and prohibitions of international law have served to inhibit such interventions. Today, however, these inhibitions are yielding in the face of massive civilian casualties and gross abuses of human rights. But how far United Nations interventions can go and how successful they can be expected to be are still subjects for discussion in the United Nations and its member states.

Humanitarian Imperatives

Late in 1992, a sharp debate erupted in this country and in the halls outside the General Assembly and the offices of the United Nations Secretary-General. Television and other media were presenting shocking reports of war and starvation in Somalia, and of the inability of Pakistani

peacekeeping forces to restore order. While thousands died in the violence and chaos, the world body appeared immobilized.⁷ Finally, on December 8 and 9, President Bush announced that American troops would be introduced to provide safe passage for emergency food and medical supplies and to establish a modicum of order and stability in the central and southern parts of these former Italian and British colonies, "united" in the early 1960s. The UN leadership give its approval to the American intervention.

The international legal community has long disputed the right of nations or international organizations to introduce military force to relieve human suffering, without the express permission of local governments. Strict constructionists have argued that such intervention could only be sanctioned to rescue individuals under conditions where a local government could not or would provide protection.⁸ The 1976 rescue by Israeli forces at Entebbe, Uganda, is often cited as an example of such a situation. Others have sought more inclusive criteria for multilateral military intervention,⁹ but their efforts foundered on the argument that Article 2, Section 7 of the United Nations Charter protects member states from foreign involvement in their domestic affairs. The Article stipulates the following:

Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present Charter.¹⁰

The view prevailed until 1991 that "international law granted no general right unilaterally to charge into another country to save its people from their own leaders."¹¹

The Gulf War of 1991 weakened this conviction. After its forces were expelled from Kuwait, Baghdad turned its frustration and fury on rebellious Kurdish and Shiite populations in northern and southern Iraq. More than 2 million Kurds were forced to flee, but found themselves unwelcome in neighboring Turkey and Iran, which were beset by domestic difficulties. The Security Council responded, after extended debate, by adopting Resolution 688, which condemned Baghdad's repression of its civilian population and characterized its actions as a threat to international peace and security in the region. The Council insisted that "Iraq allow immediate access by international humanitarian organizations to all those in need of assistance in all parts of Iraq and make available all necessary facilities for their operations."¹² The Secretary-General was directed to use the resources at his disposal to address "urgently the critical needs of the refugees and displaced Iraqi population."¹³ The government of Iraq, condemned for its 1990 invasion of Kuwait by previous Security Council Resolutions, was urged to cooperate, as the Council appealed to member states and humanitarian organizations to provide emergency assistance. As anticipated, Baghdad condemned the resolution as blatant intervention in its domestic affairs and as a direct violation of the principle of sovereignty. Baghdad's anger was fueled by the fact that it was already facing an erosion of sovereignty, reflected in UN demands that Baghdad destroy its unconventional weapons, pay reparations for its invasion of Kuwait, and face economic sanctions until there was compliance with all UN resolutions.

The intense debate that preceded passage of Resolution 688 shows that it was not the great leap toward international interventionism that some observers have

claimed. There was little inclination to authorize, or otherwise validate, efforts by any member state unilaterally to inject its military forces into the refugee zones, or by the UN to send in multilateral forces on a coercive basis. All the resolution did was forbid Baghdad to deny entry to humanitarian agencies attempting to aid Kurdish refugees in northern Iraq. Even so, the United States, Britain, and France contended the resolution implicitly authorized deployment of their forces into northern Iraq to protect humanitarian relief efforts and to create a safe haven zone for Kurds to protect them from military incursions by Baghdad. Three members of the Security Council voted against the Resolution and two abstained on the grounds that, *inter alia*, human rights violations within a country should be of no concern to the Security Council. The government of India even declared that a massive flow of refugees across international frontiers does not constitute a threat to international peace and security, in spite of having, two decades earlier, used the opposite argument to justify its use of military force against what was then East Pakistan.¹⁴

Whatever the intentions of its authors, Resolution 688 produced an ambiguous situation. Secretary-General Boutros-Ghali made it clear his support for humanitarian intervention by appointing the distinguished Swedish diplomat, Jan Eliasson, to the position of Under Secretary-General for Humanitarian Affairs—with the informal sobriquet "Mr. Human Rights"—but the debate about intervention continues. Many members fear that the Security Council is encroaching on the domain of the General Assembly, and there, state sovereignty is sacrosanct. Recently, the Security Council conducted a heated debate on whether it or the General Assembly,

possessed the authority to dispatch non-uniformed policemen to Haiti to monitor the work of Haitian military personnel during the 1991 elections. After considerable disagreement and delay, a compromise was reached and the operation was sponsored jointly.

As noted in a recent commentary, the most vigorous advocate of humanitarian intervention has been Bernard Kouchner, until recently France's Minister of Humanitarian Action, who has urged unfettered access to the victims of natural and manmade disasters.¹⁵ A founder of *Medecins sans Frontiers*, he has called for a "law of democratic intervention," which would establish international norms to sanction the protection of people "before it became too late to save them." His recommendation has been ill-received by most member states, including the United States, for reasons that need to be carefully assessed; for the instinct for humanitarian intervention, while fortifying moral impulses, frequently shrinks from the devil of pragmatic application.

Bosnia-Somalia: Lessons Learned?

At present, the several agencies within the United Nations responsible for peacekeeping and humanitarian aid are straining to meet the demands placed on them. Traditional precepts for organizing and introducing UN-authorized forces into hazardous field operations are being reconsidered. Hitherto, basic guidelines have stipulated four conditions: (1) consent by parties involved in armed conflict to a cease-fire and to the introduction of UN-sponsored forces to monitor its implementation; (2) a clear and attainable mandate for the UN forces from the Security Council (3) minimum use of force under strictly enforced

rules of engagement; and (4), collective and sustained financing by the membership. Another condition in traditional peacekeeping has been that international forces must be removed on formal request by either one or all of the parties to the dispute.¹⁶ Traditional peacekeeping operations, such as those in Cyprus, the Golan Heights, and Central America, have proved successful in ending armed conduct, thus permitting adversaries opportunities to settle disputes peacefully.

By contrast, the forcible introduction of military forces, either to ensure a cease-fire or for humanitarian purposes, brings with it basic changes in assumptions and procedures. Rather than being lightly armed and essentially passive, intervention forces must be more heavily armed, judgmental in approach, and thus prepared to suffer casualties if they vigorously pursue mandated objectives. The killing of 23 Pakistani peacemakers in Mogadishu on June 25, 1993 testifies to the dangers arising from such operations. Member states that have hitherto been willing to make their forces available for traditional peacekeeping missions have reservations about using them in forcible interventions, as well as about the accompanying financial burdens.

Four questions need to be addressed if future interventions are to be effective:

- How, and to what extent, can the various UN agencies responsible for military and humanitarian aid be effectively coordinated?
- How, and to what extent, can nonpermanent members of the Security Council and other member states participate in creating guidelines for humanitarian intervention?

- Should primary responsibility for overseeing military forces and humanitarian agencies in the field be delegated to the Secretary-General?
- Does the current Secretary-General have the will and determination to introduce needed structural and management reforms within the encrusted Headquarters bureaucracy?

The record of recent UN interventions is replete with instances of ineptitude in the field, disagreement between civilian and military authorities, and failures of leadership. In Somalia, United Nations relief personnel were withdrawn shortly after the eruption of interclan warfare, on the grounds that their insurance premiums had risen to unacceptable levels. The private relief agencies that were left in the field found insurance coverage in the form of hired Somali protectionist agents. When a small UN-sponsored Pakistani military contingent was finally dispatched, it was surrounded and immobilized at the Mogadishu airport until American forces intervened. Somalia remains a test of whether the United Nations has the will and the staying power to stabilize a desperate and chaotic situation.

Bosnia is another test. Here we confront a tangle of imperatives: the right to self-determination, the need to protect minorities, the rules of war, the prohibition against genocide and the necessity for humanitarian aid for noncombatants. The debate over appropriate strategies and approaches to ending the slaughter has taken innumerable turns, and will likely be studied by historians for years to come. A UN decision to intervene early in the conflict

might have produced a truce, but from where would the intervention force have been recruited? In the absence of a United Nations rapid deployment force, Boutros-Ghali could only negotiate for a cease-fire and the admission of humanitarian aid supplies and personnel. Faced with the intransigence of Serbian forces, the UN refugee relief agency found itself compelled to facilitate "ethnic cleansing" by assisting in the transfer of civilians from cities and villages under Serbian siege. Since the UN force in Bosnia was limited to assisting in the distribution of emergency aid through peaceful means, it could not force entry into besieged Muslim towns or otherwise protect defenseless civilian populations.

Lessons Learned

The need for humanitarian assistance will continue to arise in many forms and guises during the remainder of this decade. Natural disasters, as have occurred in Bangladesh, the Philippines, and elsewhere, will warrant U.S. bilateral and multilateral emergency responses. American and other military and civilian agencies are well-organized and experienced in dealing with the initial rescue and recovery stages of such situations. An international support system is also in place to provide needs assessment and epidemiology; the system undoubtedly requires reinforcement, but the network of agencies and institutions prepared to act in concert is impressive.

The UN has the potential to accomplish things that no other international organization can do. It can deal with modern plagues, assist refugees, and cope with natural disasters. But its financial situation is parlous. The UN budget for 1992 was \$4.1 billion—of which 34 percent was

to be allocated to peacekeeping and 24 percent for refugees and humanitarian relief. By year's end, peacekeeping alone was claiming \$3 billion of the budget, and this year the figure for peacekeeping will approach \$4 billion. The United States is almost \$600 million in arrears in its pledge to meet UN needs.

More disheartening and threatening is the disinclination of many peoples and communities to co-exist in the traditionally delineated enclosure called the nation-state. Their savage wars have presented international institutions with basic challenges relating to the protection of minority rights and of the freedom of people to assert their own national identity. Although we might prefer that these issues be debated and resolved through constructive dialogue, history teaches us that the process will more often be violence-laden and, ultimately, resolved in favor of the groups with the biggest guns.

Where governments have neither the political acumen nor the resources to deal effectively with ethnic and sectarian issues, other Bosnias and Somalias will most certainly evolve. The capacity of the United Nations, regional organizations, such as NATO or the EEC, or of the United States to deal with all such conflicts will prove marginal at best. Even a rapid deployment force, were one at the Secretary-General's disposal, could not respond to every crisis at once.

A useful step would be the establishment of an international early warning/crisis-prevention center at UN Headquarters, one capable of alerting the Secretary-General and the Security Council to looming political and economic problems that might come to require UN involvement. Early intervention with economic and humanitarian aid could provide the foundation for dialogue between

governments and local adversaries. On occasion, such assistance could be the basis for a broader economic and social "rescue plan," fashioned and implemented with the help of the international community. It would be essential that UN member states agree to provide adequate forces to protect, where necessary, whatever humanitarian assistance groups might be dispatched. An undertaking of this kind would require a rewriting of many traditional "rules of the game," but its benefits would justify the effort.

The Clinton administration is trying to assess this country's future role in international peacekeeping and humanitarian assistance. While it has proposed a separate line item for peacekeeping in the budget of the Department of Defense—\$300 million for starters—it has yet to develop a standby for overcoming the reservations of many in the Third World about such interventions. It is widely feared that the major powers will use "humanitarian concerns" as a mask for neo-imperialistic interventionism. If these suspicions are to be laid to rest, the international community will have to hammer out commonly agreed norms and agreements on the conditions for intervention.

The Clinton administration has yet to present a coherent picture delineating its view of the future American role in international peacekeeping and humanitarian assistance. There has been talk about "aggressive multilateralism" and shared responsibilities with other "wealthy countries," but there has been little clarity out of Washington on the subject, beyond a few rhetorical flourishes. At present, the Clinton administration gives the impression of a desire to downsize its "leadership role" in peacekeeping. This may be a transitory impression, one that will be corrected as the President takes command of foreign policy.

If peacekeeping efforts are to work, reform is needed in both the United States and the United Nations, where an integrated system to coordinate peacekeeping and humanitarian assistance operations needs to be established. And, as the costs of interventions continue to mount, the Secretary-General must be urged to end mismanagement in the United Nations procurement system, so that needed supplies can be promptly secured and effectively distributed. Unless these remedial steps are taken, the international peacekeeping/humanitarian-assistance debate will be largely sound and fury, ending most often in frustration and recrimination.

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